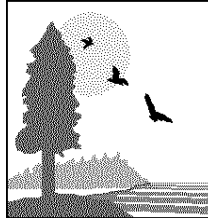


CALIFORNIA STATE LANDS COMMISSION

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May 21, 2013

File Ref: W9777.234
W9777.243

Dear Shipping Agent,

The United States Coast Guard (USCG) recently released a list of accepted Alternative Management Systems (AMS) for Ballast Water Treatment (see Attachment A, note: the USCG maintains a list currently accepted AMS on their website: <http://www.uscg.mil/hq/cg5/cg522/cg5224/bwm.asp>). In accordance with California Public Resource Code (PRC) section 71204.3(d) and California Code of Regulations (C.C.R.), title 2, section 2284, vessels are authorized to manage their ballast water using an alternative, environmentally sound method of ballast water management that has been approved by the California State Lands Commission or the USCG as being at least as effective as ballast water exchange, using mid-ocean waters, in removing or killing nonindigenous species.

Because any USCG accepted AMS must demonstrate an efficacy at least as effective as mid-ocean exchange (per CG-OES Policy Letter No. 12-01, dated 15 June 2012), use of any of the accepted systems for the treatment of ballast water prior to discharge within California waters shall qualify as being in accordance with PRC section 71204.3(d) and C.C.R., title 2, section 2284, and therefore may be used in place of ballast water exchange.

Please note that vessels using USCG accepted AMS in California waters must indicate the specific alternative method/treatment system used on the Ballast Water Reporting Form. Vessels discharging ballast treated with USCG accepted AMS in California waters must also fill out both the "Ballast Water Treatment Technology Annual Reporting Form" and the "Ballast Water Treatment Supplemental Reporting Form" (Attachments B and C, respectively).

Furthermore, installation or use of an USCG accepted AMS does not waive a vessel's requirement to meet C.C.R., title 2, sections 2293 and 2294's ballast discharge performance standards. Vessels choosing to install a USCG accepted AMS will still be subject to California's Performance Standards for Ballast Water Discharges (pursuant to C.C.R., title 2, section 2293) when required by regulation (2 C.C.R. sec.

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2294). Therefore, once the regulation goes into effect, it will be incumbent on the vessel to comply with the discharge standards.

Please feel free to contact me at the telephone number listed above or by email at Nicole.Dobroski@slc.ca.gov if you have any further questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Nicole Dobroski".

Nicole Dobroski
Marine Invasive Species Program
Manager

Enclosure: Attachment A
Attachment B
Attachment C

cc: Gary Gregory, Chief, Marine Facilities Division, CSLC
Mark Meier, Chief Counsel, CSLC
Joe Fabel, Staff Attorney, CSLC